Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Service Rules for the 698-746, 747-762 and 777-792 MHz Bands	)	WT Docket No. 06-150
	)	
Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems	)	CC Docket No. 94-102
	)	
	)	WT Docket No. 01-309
	)	
Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones	)	WT Docket No. 03-264
	)	
Biennial Regulatory Review – Amendment of Parts 1, 22, 24, 27, and 90 to Streamline and Harmonize Various Rules Affecting Wireless Radio Services	)	WT Docket No. 06-169
	)	
Former Nextel Communications, Inc. Upper 700 MHz Guard Band Licenses and Revisions to Part 27 of the Commission's Rules	)	PS Docket No. 06-229
	)	
	)	WT Docket No. 96-86
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band	)	
	)	
Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010	)	

COMMENTS OF CENTENNIAL COMMUNICATIONS CORP.
ON FURTHER NOTICE OF PROPOSED RULEMAKING

Centennial Communications Corp. ("Centennial")[1] respectfully submits the following comments on the *Further Notice of Proposed Rulemaking* captioned above. In the *Further Notice,* the Commission reaches tentative conclusions and makes proposals with respect to a number of issues affecting the 700 MHz band plan. The comments that follow are directed to the band plan proposal of the *Further Notice of Proposed Rulemaking*.

Centennial agrees with the Commission's conclusion that "by providing a mix of CMA, EA, and REAG licenses in the 700 MHz Commercial Services spectrum, we provide a more balanced set of initial licensing opportunities that provide an effective means of access to spectrum especially in rural areas, while effectively meeting other Commission goals.[2]" Centennial, whose licensed service areas are regional and rural in nature, supports the Commission's commitment to providing continuing opportunity for regional carriers to expand their product offerings to customers living, working and traveling

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[1] Centennial, through its subsidiaries, is a cellular, PCS, and AWS licensee. Centennial's operations are in small metropolitan markets and rural areas located in Indiana, Louisiana, Ohio Michigan, Mississippi, and Texas. Centennial also operates a CMRS network in Puerto Rico and the Virgin Islands. In addition, Centennial operates a CLEC in Puerto Rico.

[2] *In the Matter of Service Rules for the 698-746, 747-762 and 777-792 MHz Bands,* WT Docket No. 06-150; *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,* CC Docket No. 94-102; *Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones,* WT Docket No. 01-309; *Biennial Regulatory Review – Amendment of Parts 1, 22, 24, 27, and 90 to Streamline and Harmonize Various Rules Affecting Wireless Radio Services,* WT Docket No. 03-264; *Former Nextel Communications, Inc. Upper 700 MHz Guard Band Licenses and Revisions to Part 27 of the Commission's Rules,* WT Docket No. 06-169; *Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band,* PS Docket No. 06-229; *Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010*, WT Docket No. 96-86; Further Notice of Proposed Rulemaking (April 27, 2007) ¶176 (hereafter *"FNPR")*

outside of the large metropolitan areas of the country. Consequently, and for the reasons that follow, Centennial urges the FCC to adopt its proposed re-configuration of the Lower 700 MHz Band and to adopt a reconfiguration of the Upper 700 MHz Band that incorporates three licenses, at least one of which is a CMA-based license of paired spectrum segments.

LOWER 700 MHZ COMMERCIAL SERVICES BAND

The existing band for the lower 700 MHz band divides the spectrum into five blocks: three 12 MHz paired blocks (consisting of two 6 MHz segments each)[3] and two unpaired 6 MHz blocks.[4] In a prior notice, the Commission announced a preference to retain this band plan because of its mix of geographic market sizes[5] and spectrum allocations.[6] Centennial supports this preference and urges the Commission to adopt this plan for the lower 700 MHz band.

UPPER 700 MHZ COMMERCIAL SERVICES BAND

The upper 700 MHz commercial services band now consists of 30 MHz of spectrum currently divided into two blocks: a 10-megahertz paired block consisting of two 5-megahertz segments (C Block) and a 20-megahertz paired

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[3] Blocks A, B, and C.
[4] Blocks D and E.
[5] The A band is designated as an EA, the B band as a CMA, the C band, which has already been auctioned, is also a CMA license. The D block (already licensed) is an EAG and the E block is proposed to be a REAG.
[6] Service Rules for the 698-749, 747-762 and 777-792 MHz Bands, WT Docket No. 06-150, Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems and Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones, CC Docket No. 94-102, WT Docket No. 01-309, *Notice of Proposed Rule Making, Fourth Further Notice of Proposed Rule Making, and Second Further Notice of Proposed Rule Making*, 21 FCC Rcd 9345, 9369 ¶ 49 (2006) (*700 MHz Commercial Services Notice).*

block consisting of two 10-megahertz segments (D Block). In the *700 MHz Commercial Services Notice*, the Commission sought comment on the band plan and whether it should reconfigure the size of these spectrum blocks.[7] As a result, five proposals[8] for the upper 700 MHz band are now before the Commission:

> **Proposal 1**: Establishment of a new 22-megahertz C Block (comprised of two 11-megahertz blocks of paired spectrum), and a new 12-megahertz D Block (comprised of two 6-megahertz blocks of paired spectrum). Both the C and D Blocks in the Upper 700 MHz Band would be licensed on a REAG basis.[9]
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> **Proposal 2**: Establishment of 34 megahertz of commercial spectrum in the upper 700 MHz band using a mix of REAG, EA and CMA geographic licensing areas. Blocks C and D would be paired segments of 2 x 5.5 MHz and Block E would be paired segments of 2 X 5 MHz. Block C is proposed to be either CMA or EA with Block D becoming an EA and Block E a REAG.
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> **Proposal 3**: Establishment of 32 megahertz of commercial broadband spectrum consisting of a 22 MHz (2 X 11 MHz) block C and a 10 MHz

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[7] *See 700 MHz Commercial Services Notice*, 21 FCC Rcd at 9369-73 ¶¶ 49-59

[8] Many of the proposals involve a rearrangement or elimination of one or more of the guard bands, which has the effect of opening additional spectrum beyond the 30 MHz now available under the current band plan. Some of these proposals also entail relocating the public safety spectrum.

[9] The A and B blocks of the upper 700 MHz commercial services band have already been auctioned. Both licenses, which consist of a Block A of 2 MHz (paired 2 X 1 MHz) and a Block B of 4 MHz (2 X 2 MHz), were licensed on an MEA basis.

(2 X 10 MHz) block D. No geographic size for these licenses is proposed.

Proposal 4: Establishment of 34 MHz of commercial spectrum in the upper 700 MHz band consisting of three blocks: an 11 MHz Block C (2 x 5.5 MHz); and 11 MHz Block D (2 X 5.5 MHz) and a 10 MHz Block E (2 x 5 MHz). Blocks C and D would be REAG licenses and Block E an EA license.

Proposal 5: Establishment of 34 MHz of commercial spectrum in the upper 700 MHz band consisting of three blocks: an 11 MHz Block C (2 x 5.5 MHz); and 11 MHz Block D (2 X 5.5 MHz) and a 10 MHz Block E (2 x 5 MHz). Block C would be a REAG; Blocks D and E would be EAs.

Proposal 1 and 3, along with the current proposal, limit the band allocations to two licenses. In Centennial's view, these proposals effectively shut out small and regional carriers because these band plans tend to favor large, national carriers. From the point of view of spectrum allocation, Proposals 2, 4 and 5 offer the greatest opportunity for widespread licensing among new and existing carriers. However, Proposals 4 and 5 each offer the licenses only on the basis of large geographic service areas. Proposal 3 hedges between making the Block C license either an EA or a CMA. To ensure the optimal mix of licenses, Centennial believes that at least one of the licenses offered must be based on the CMA markets.

Centennial urges the Commission, then, to adopt a band plan for the upper 700 MHz band that includes at least one CMA license. Licenses awarded on the basis of large geographic areas favor the large, national wireless carriers and handicap regional and rural carriers, like Centennial, whose service areas tend to be defined by CMA boundaries. This is not an issue of favoring small companies in the spectrum policy; rather, it is an issue of ensuring continued modern wireless service to the small and rural markets of the country.

Moreover, if the licenses awarded by auction are only large geographical areas, it will be years before the owners of those licenses turn their attention to the low-density parts of the service areas. The reason for that is simple economics – the fastest return on the purchase price of the license is to build where the greatest traffic potential lies. One consequence of such a policy, then, is a two-tiered wireless network: fully featured network development in large metropolitan areas and less featured networks in less populated areas. This is, of course, at odds with the nation's telecommunications poolicy.

From the beginning of telephone service, the large telecommunications companies have focused on metropolitan areas with smaller companies providing service to the small and rural markets of the country. This trend is apparent in the wireless industry where the national carriers place their emphasis on high-density markets. Even when constructing in less populated

areas, these firms tend to build along major thoroughfares without venturing far into the less populated byways and hamlets. For the most part, regional carriers, who cater to the particular requirements of these markets, provide service in these areas. Through roaming arrangements with these local carriers, customers of nationwide carriers are able to enjoy all of their regular wireless features when business or pleasure takes them to these remote areas.

To maintain up-to-date services, regional carriers, like their nationwide counterparts, need additional spectrum for new services. However, if the only additional spectrum available is limited to one or two blocks of large geographic service areas, it is inefficient and uneconomical for these carriers to acquire licenses that will entail construction requirements unrelated to their existing service areas. By offering CMA-based licenses, these smaller carriers can continue the important work of providing modern, up-to-date service in the less populated and remote areas of the country.

The Commission has consistently recognized this need for diversity in the geographic size of licenses as well in the spectrum allocations itself. As the *FNPR* itself notes

> These principles have been supported by a large number of commenters including large wireless providers, tribal governments, state regulators, and a large coalition of wireless providers. These principles reflect the Commission's statutory obligation to ensure "an equitable distribution of licenses and services among geographic areas" and to "avoid [ ] excessive concentration of licenses . . . by disseminating licenses among a wide variety of applicants, including small businesses,

> rural telephone companies, and businesses owned by members of minority groups and women.[10]

Centennial urges the Commission to hew to its long-standing policy of offering a mix of licenses for auction. By doing so, it will ensure the continued and expanding availability of modern wireless communications in rural markets and in the smaller metropolitan areas of the country. Doing so offers benefits not only to those who live there, but to everyone who travels to those areas as well. In short, ensuring this level of service in small markets benefits the *national* network.

Finally, the band plans Centennial advocates here are similar in nature to the band plans developed for the Advanced Wireless Services ("AWS")[11] auction, which Chairman Martin called "the biggest, most successful wireless auction in the Commission's history.[12]" In noting that the auction grossed more than $13.9 billion, Chairman Martin announced that he was

> [P]articularly pleased that more than half of the winning bidders were small businesses. I hope many of these smaller companies will fulfill the promise of advanced wireless services in America's underserved and rural areas.[13]

In light of the obvious success of the AWS auction, its example – particularly its mix of licenses – is worth following in the present case.

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[10] *FNPR* at ¶ 205 (citations eliminated).

[11] *Auction of Advanced Wireless Services Licenses Scheduled for June 29, 2006; Comment Sought on Reserve Prices Or Minimum Opening Bids and Other Procedures*, PUBLIC NOTICE (DA 06-238) January 31, 2006.

[12] http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-267473A1.pdf

[13] *Id.*

Accordingly, Centennial urges the Commission to adopt either Proposal 2, 4 or 5 so long as the proposal adopted provides for at least one CMA license.

Conclusion

For the foregoing reasons, Centennial Communications Corp. urges the Commission to adopt the current band plan for the Lower 700 MHz Commercial Services Band and to adopt a band plan for the Upper 700 MHz Commercial Services Band that is composed of three licenses, at least one of which is licensed on a CMA basis using paired spectrum segments.

Respectfully submitted,

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